

LOCAL BANKRUPTCY RULE 3001-1

NOTICES OF CLAIMS BAR DATES IN CHAPTER 11 CASES

In all chapter 11 cases where the Court orders a bar date for the filing of claims, the debtor in possession or the chapter 11 trustee shall serve notice of the claims bar date on all creditors **and on other parties entitled to notice**. The following language shall be used in the notice:

NOTICE OF CLAIMS DEADLINE

~~Pursuant to court order, the~~ **The** United States Bankruptcy Court ~~for the Central District of California~~ has set a deadline of _____, ~~19~~ **20**__ for creditors of, **and holders of ownership interests in**, the above-referenced debtor to file **proofs of** claims against, **or proofs of interest in**, the debtor's estate.

The two exceptions to this deadline for filing proofs of claim or interest are (1) claims arising from rejection of executory contracts or unexpired leases, and (2) claims of governmental units.

For claims arising from rejection of executory contracts or unexpired leases pursuant to 11 U.S.C. § 365, the last day to file a proof of claim is (a) 30 days after the date of entry of the order authorizing the rejection or (b) [repeat the bar date set for all other claims here], whichever is later.

For claims of “governmental units,” as that term is defined in 11 U.S.C. §101(27), proofs of claim are timely filed if filed (a) before 180 days after the date of the Order for Relief in this case, or (b) by [repeat the bar date set for all other claims here], whichever is later. 11 U.S.C. § 502(b)(9).

If you are listed on the Schedules of Assets and Liabilities of [debtor] and your claim or interest is not scheduled as disputed, contingent, unliquidated or unknown, your claim or interest is deemed filed in the amount set forth in the schedules, and the filing of a proof of claim or interest is unnecessary if you agree that the amount scheduled is correct and that the category in which your

claim or interest is scheduled (secured, unsecured, preferred stock, common stock, etc.) is correct. 11 U.S.C. §1111(a).

If your claim or interest is not listed on the schedules or is scheduled as disputed, contingent, unliquidated or unknown, or you disagree with the amount or description scheduled for your claim or interest, you must file a proof of claim or interest.

Failure of a creditor or interest holder to timely file timely a proof-of-claim or interest on or before the deadline may result in disallowance disallowance of the claim or interest or subordination under the terms of a plan of reorganization without further notice or hearing, unless the creditor or interest holder files a motion to allow a late filed proof of claim or interest on the basis that the failure to file was the result of excusable neglect. 11 U.S.C. § 502(b)(9); F.R.B.P. 9006(b)(1). Creditors and interest holders may wish to consult an attorney to protect their rights.

Court's Comment

New rule in 1998.

1999 Revision

Paragraph 1. Added to the end of the first line is *and on other parties entitled to notice..*

Paragraph 2. Changed the first line from *Pursuant to court order, the United States Bankruptcy Court for the Central District of California* to *The Bankruptcy Court*. Other additions to the first line are: *,and holders of ownership interests in,* added after *creditors;* *proofs of* added after *file;* and *,or proofs of interest in,* added after *against.*

Paragraph 3. Changed to paragraph 8. New paragraph 3 added.

Paragraph 3. Added.

Paragraph 4. Added.

Paragraph 5. Added.

Paragraph 6. Added.

Paragraph 7. Added.

Paragraph 8. Revised former paragraph 3. Additions to paragraph 8 include: *or interest holder* added after *creditor* in the first line; *timely* moved from before *file* to after *file* on line 1; hyphens removed from *proof-of-claim* in the line 1; *or interest* added after *claim* on line 2; underline under *disallowance* was deleted on line 2; *interest or* added before *subordination* on line 3 ; *or interest holder* after *creditor* on line 5; *proof of* added after *filed* on line 5; *or interest* added after *claim* on line 6; and *and interest holders* added after *creditors* on line 8.